

[10191/2132]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Werner POECHMULLER et al.
Serial No. : 10/026,087
Filed : December 21, 2001
For : DEVICE FOR DATA RECEPTION VIA
RADIO SIGNALS IN A MOTOR VEHICLE
Examiner : Amare Mengistu
Art Unit : 2673
Confirmation No. : 8281
I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
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Mail Stop Petition
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on
Date: 7/27/04
Signature: R. Hannan

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION TO ACCORD FILING DATE UNDER 37 C.F.R. § 1.10(d)

S I R:

In response to the "Response to Request for Corrected Filing Receipt" dated July 7, 2004, Applicants respectfully petition under 37 C.F.R. § 1.10(d) to accord a filing date of December 21, 2001 to the above-captioned application. A filing date of December 12, 2001 was incorrectly according to the present application apparently based on the hand-written "Date In" entry of December 12, 2001 in the Express Mail Post Office to Addressee mailing label annexed hereto, bearing Express Mail Mailing Label No. EV003628174, rather than the correct December 21, 2001 date of deposit based on the stamped date appearing in the United States Postal Service postmark appearing on the annexed Express Mail mailing label.

Due to an apparent clerical error, a date of December 12, 2001 was hand written in the "Date In" box of the annexed Express Mail mailing label. It is believed and respectfully submitted that the correct date of deposit with the United States Postal Service is reflected in the stamped United States Postal Service postmark, *i.e.*, December 21, 2001. In support of this petition, it is noted that the "Utility Patent Application Transmittal Letter Under 37 C.F.R. 1.53(b)" is dated December 21, 2001 as indicated on page 2 thereof. The "Utility Patent Application Transmittal Letter Under 37 C.F.R. 1.53(b)" bears the notation "Express Mail No. EV003628174" on the first page thereof. In addition, the "Combined

Declaration and Power of Attorney for Patent Application” bears the notation “EV003628174.” It is believed that the back of at least the first page of the Specification and the back of each of the two sheets of Figures of this application included a notation corresponding to Express Mail Label No. EV003628174. It is respectfully submitted that the foregoing constitutes a sufficient showing that the number of the Express Mail mailing label was placed on each piece of correspondence prior to the original mailing thereof.

In view of the United States Postal Service postmark dated December 21, 2001 appearing on the Express Mail label annexed hereto, it is believed that a sufficient showing has been made that the correspondence was deposited as Express Mail on December 21, 2001 prior to the last scheduled pickup on the requested filing date of December 21, 2001.

Also annexed hereto is a copy of a return postcard bearing the notation “EV003628174US” and which itemizes, *inter alia*, ten pages of Specification, eleven claims and two pages of drawings.

In view of the foregoing, Applicants respectfully petition that a filing date of December 21, 2001 be accorded to the present application.

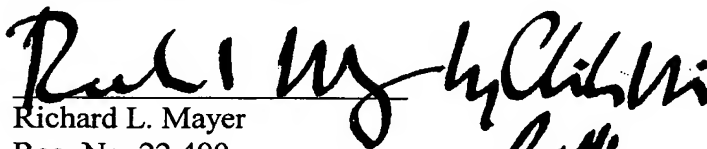
While no fee is believed to be required in connection with this paper, the Commissioner is hereby authorized to charge any fees that may be necessary in connection with this paper to the deposit account of Kenyon & Kenyon, Deposit Account No. 11-0600:

Respectfully submitted,

Dated:

July 27, 2004

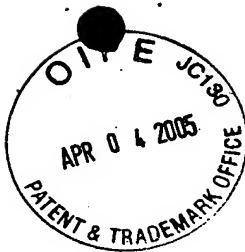
By:



Richard L. Mayer
Reg. No. 22,490
Kenyon & Kenyon
One Broadway
New York, N.Y. 10004
(212) 425-7200

B. No.
42,184

Customer No. 26646



POST OFFICE TO ADDRESSEE



EV 003628174 US

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 11001	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date in 12 01 Month Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$6.25
Time in 1757 AM PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. 5 ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials K	Total Postage & Fees \$16.25

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253

EV00362874US 12/11/01 1019112132

The stamp of the Patent Office hereon, may be taken

acknowledging the receipt, on the date stamped, of

PATENT APPLICATION of

Title Device for data reception via radio
signals in a motor vehicle

Specifications 10

Assignment -

No. of claims 11

Recording fee \$ -

No. of drawings 2

Authorization to charge Dep. Acct. 10100

Declaration unsigned

Priority Document -

Filing fee \$ 740-

Preliminary Amendments pro

Non-Publications request -

Small Entity 10/026087



12/12/01



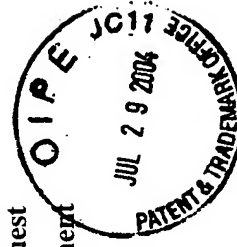
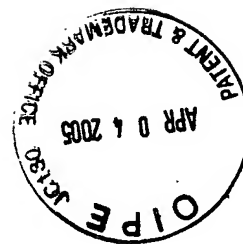
Case No. 10191213Z
Ser. No. 101026087

Atty. CAU

Due Date 7/27/04

The Impressed Mail Room date stamp acknowledges receipt of the date indicated of: *Petition to accord filing Date under 37.C.F.R. 1.100*

- | | |
|--|---|
| <input type="checkbox"/> Application | <input type="checkbox"/> Extension Request |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Issue Fee |
| <input type="checkbox"/> Notice of Appeal | <input type="checkbox"/> Declaration |
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Copy of Express receipt dated 12/12/01
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